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| Addressee: | OIPE (INDIVIDUAL) | FAX NO. | 703-746-4060 |
|---------------------|----------------------|----------------------------|------------------------------------|
| | -USPTO (COMPANY) | | _ Direct Dial |
| From: | David Bogart Dort | Date <u>March 28, 2005</u> | |
| Cover Sheet & pages | | Billi | ng No. 3518-2-1-B |
| | | SER | IAL NO. 10/995,059 * |
| Return to | Nancy E. Davies | | /Fax: 202-318-7729 (Washington, DC |

RE: 10/995,059 10/7112多

In the matter of the above-referenced Application please find attached:

- (1) Transmittal and Statement of USPTO error with Certificate of transmission 37 CFR 1.8;
- (2) Notice of Incomplete Reply to Missing Parts
- (3) Exhibit Page from Substitute Specification
- (4) No fee is believed to be due, however, the Commissioner is authorized to charge Deposit Account 50-3068 (Docket 3518-2-1-B) for any underpayments to complete this procedure.

Certificate of Transmission 37 CFR § 1.8

I hereby certify that this transmission along with all referenced documents is being transmitted to the USPTO, via the central fax number of the United States Patent and Trademark Office at Fax No. 703-746-4060 on this 28th day of March, 2005.

David Bogart Dort

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Attorney Docket No. 3518-2-1-B

I hereby certify that this correspondence is being transmitted to to OIPE at Fax No. 703-746-4060 Mail Stop: Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 28th Day of March, 2005:

Date:

David Bogart Dort

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: TIMOTHY ANDERSON

APPLICATION NO.:

10/711,104 128

FILED:

26 AUGUST 2004

For: COMPUTER-IMPLEMENTED

ADAPTIVE MODULUAR RISK MANAGEMENT TRADING SYSTEM FOR **PROFESSIONAL**

EQUITY TRADERS

EXAMINER: UNASSIGNED

ART UNIT: UNASSIGNED

CONF. No:

ATTY DOCKET: 3518-2-1-B



<u>Supplemental Response to Notice to File Missing</u> **Parts of Application**

Mail Stop Missing Parts **Commissioner for Patents** P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

- 1. In response to the Incomplete Reply to Notice to File Missing Parts mailed 14 March 2005 (copy enclosed), applicant submits the following:
 - Copy of Notice of Incomplete Reply to Missing Parts \boxtimes
 - \boxtimes Transmittal with Certificate of Transmission 37 CFR 1.8 and Statement of **USPTO Error**;
 - \boxtimes Pages from Replacement Specification
 - \boxtimes Authorization for the Commissioner to charge and any underpayment to deposit account No. 50-3068.
- 2. Statement of USPTO Error

In Response to the Notice of Incomplete Reply of Missing Parts mailed 14 March 2005, the Commissioner is directed to the Response to Notice of Missing Parts filed on 28 February 2005, in which a substitute specification was filed. The

[PATENT PATENT-US /3518-2-1-b-RNMP032805]

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PAGE 2/6 * RCVD AT 3/28/2005 10:13:51 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-2/0 * DNIS:7464060 * CSID:2024542805 * DURATION (mm-ss):02-00

Attorney Docket No. 3518-2-1-B

Commissioner should take notice that FIGS. 11-13 were deleted from the Specification and were re-labelled as Appendix A without regard to Figure numbers. It is believed that deleting FIGS. 11-13 from the specification and added as an appendix helped to clarify the invention without adding new matter. The relevant substitute specification page is attached for reference.

Thus, it is submitted that the Applicant's reply of 28 February 2005 was fully responsive to the Notice of Missing Parts sent 28 September 2004, and no further extension fees or drawings are needed.

3. Authorization for Extensions of Time Under 37 C.F.R. § 1.136 (a)(3)

No fee is believed to be due, however, applicant petitions for an Extension of Time if necessary for timely filing of this Response. The Commissioner is authorized to treat this or any future reply requiring a Petition for Extension of Time under 37 C.F.R. § 1.136 (a)(3) for its timely submission as incorporating a petition therefor for the appropriate length of time. Please charge all required extension of time fees in this application to Deposit Account No. 50-3068.

- Applicant claims small entity status. See 37 C.F.R. § 1.27
- Please charge any deficiency or credit to Deposit Account No. 50-3068 (Docket No. 3518-2-1-B).

Date: 03/28/05

Respectfully submitted,
TIGHE PATTON ARMSTRONG
TEASDALE, PLLC

David Bogart Dort Registration No. 50,213

Correspondence Address:

Customer No. 42389

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United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS NO. 1903 1410
Alternate, Vigina 12313-1410

APPLICATION NUMBER

FILING OR 371 (c) DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/711,128

SAN FRANSISCO, CA 94014

08/26/2004

Timothy Anderson

ASDC.P001.B

42780 SUMMERS RUBINSTEIN, PROFESSIONAL CORP PATENTS 580 CALIFORNIA 16TH FLOOR

MAR 28 2005 HOTEL OF TRADEMARK

CONFIRMATION NO. 5127
FORMALITIES LETTER
OC00000015453202*

Date Mailed: 03/14/2005

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 03/03/2005 to the Notice to File Missing Parts (Notice) mailed 09/28/2004 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application. Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - More than one figure is present and each figure is not labeled "Fig." with a consecutive Arabic numeral (1, 2, etc.) or an Arabic numeral and capital letter in the English alphabet (A, B, etc.)(see 37 CFR 1.84(u)(1)). See Figure(s) 12.

Replies should be mailed to:

Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

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PART 3 - OFFICE COPY

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